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2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

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5 ROBERT ROYCE BYFORD,
6 Petitioner,
7 v.

Case No. 3:11-cv-00112-JCM-WGC

**ORDER GRANTING MOTION FOR
EXTENSION OF TIME (ECF NO. 91)**

8 WILLIAM GITTERE, *et al.*,
9 Respondents.
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13 In this capital habeas corpus action, after a 32-day extension of time, the
14 petitioner, Robert Royce Byford, who is represented by appointed counsel, was due
15 to file a third amended habeas petition by January 24, 2020. See Order entered
16 October 24, 2019 (ECF No. 88) (60 days to file third amended petition); Order entered
17 January 24, 2020 (ECF No. 91). On January 24, 2020, Byford filed a motion for
18 extension of time (ECF No. 91), requesting a second extension of time, of six days, to
19 January 30, 2020. Byford then filed his third amended petition on January 30, 2020, as
20 contemplated in his motion for extension of time (ECF No. 92).

21 Byford's counsel states that the extension of time was necessary because of his
22 obligations in other cases and the complexity of this case. The Respondents did not
23 oppose the motion for extension of time.

24 The Court finds that Byford's motion for extension of time is made in good faith
25 and not solely for the purpose of delay, and that there is good cause for the extension of
26 time requested.
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IT IS THEREFORE ORDERED that Petitioner's motion for extension of time (ECF No. 91) is **GRANTED**. Petitioner's third amended habeas petition (ECF No.92) will be treated as timely filed on January 30, 2020.

IT IS FURTHER ORDERED that, in all other respects, the schedule for further proceedings set forth in the order entered October 24, 2019 (ECF No. 88) will remain in effect.

DATED February 4, 2020.

JAMES C. MAHAN
JAMES C. MAHAN,
UNITED STATES DISTRICT JUDGE